

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

LENTON FERGUSON,
Plaintiff,

v.

HAROLD CLARKE, et al.,
Defendants.

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Civil Action No. 7:14cv00108

ORDER

By: Michael F. Urbanski
United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** that Ferguson's motion to amend (Docket No. 20) is **DENIED**; Ferguson's claim against defendant Inspector General is dismissed without prejudice for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii); the Clerk is **DIRECTED** to **TERMINATE** Inspector General as a defendant to this action; defendant Clarke's motion to dismiss (Docket No. 30) is **GRANTED** ; the Clerk is **DIRECTED** to **TERMINATE** Clarke as a defendant to this action; the remaining defendants' motion for summary judgment (Docket No. 56) is **GRANTED in part** as to Ferguson's claims concerning the food tray and the television, and **DENIED in part** as to Ferguson's remaining claims; and Ferguson's motion for reconsideration (Docket No. 55) is **DENIED**. Further, pursuant to this court's Standing Order 2013-6, the remaining defendants are **DIRECTED** to **FILE** a supplemental motion for summary judgment, within thirty days of the entry of this order, addressing Ferguson's claim that he was hindered in pursuing his administrative remedies and the merits of Ferguson's remaining claims.

The Clerk of the Court is directed to send copies of this order and the accompanying memorandum opinion to the parties.

Entered: March 24, 2015

Michael F. Urbanski

Michael F. Urbanski
United States District Judge